

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

ESTATE OF	:	Case No. 01-CV-769
ROGER D. OWENSBY, JR., ET AL.	:	
Plaintiff,	:	(Judge Spiegel)
	:	
vs.	:	
	:	
CITY OF CINCINNATI, ET AL.,	:	MOTION FOR A PROTECTIVE
Defendant.	:	<u>ORDER</u>

Now comes Abraham Lawson, by and through Counsel, Kenneth L. Lawson and hereby moves this Court to issue a protective order denying the parties the right to take Officer Abraham Lawson's deposition in the above-referenced matter. The City of Cincinnati is investigating Officer Abraham Lawson for a variety of reasons and has been for approximately a year. Counsel for Abraham Lawson has made various inquiries as to whether the investigation is over and whether Abraham Lawson will be charged criminally as a result of any investigation. The City of Cincinnati not only has failed to respond in a timely manner to the requests of Counsel, but the City has not fully informed Officer Abraham Lawson nor his Counsel as to the nature and scope of this investigation.

As a result, Counsel is forced to advise his client to take the Fifth Amendment to questions posed regarding issues involving this case and any other issues that may develop throughout the proposed deposition. Attached as Exhibit A is the Notice to Depose. Attached as Exhibit B is the three letters from Counsel to the City.

For the foregoing reasons, Counsel respectfully request that this Court grant his Motion for Protective Order and deny the parties the right to take the deposition of Abraham Lawson. That Abraham Lawson not be subject to deposition unless and until the City of Cincinnati explains the nature and scope of their alleged investigation against Officer Abraham Lawson and the status of same. Without this information Counsel has no choice but to advise Officer Lawson to take the Fifth Amendment.

Respectfully submitted,

/s/**Kenneth L. Lawson (0042468)**
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing document was electronically filed with the Clerk of Courts using the CM/ECF system on this 11th day of December, 2003 which will notify the following via electronic email notification.

Neil F. Freund, Esq.	Donald E. Hardin, Esq.
Geri Hernandez Geiler, Esq.	Wilson G. Weisenfelder, Jr., Esq.
Mark T. Tillar, Esq.	Dale A. Stalf, Esq.
John J. Helbling, Esq.	Ravert J. Clark, Esq.

/s/Kenneth L. Lawson